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Responses
1/9/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: BLANK=3

In re Application of:) Conf. No.: 7300
Miri BLANK)
Appln. No.: 09/743,225) Art Unit: 1653
Filed: January 8, 2001) Examiner: David Lukton
For: SYNTHETIC PEPTIDES AND) Washington, D.C.
PHARMACEUTICAL...) December 10, 2002
)

RESPONSE

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

The present communication is responsive to the Office Action of November 12, 2002. Claims 1-21 presently appear in this case. No claims have yet been acted upon on the merits. All of the claims have been subject to restriction and election requirements. Prompt consideration on the merits and allowance of all the claims now present in the case is respectfully urged.

In response to the Official action of July 3, 2002, applicants filed an amendment on September 3, 2002, attempting to respond to all of the examiner's restriction and election requirements. In the examiner's communication of November 12, 2002, the examiner points out that applicant's selection of

SEQ ID NO:3 is not consistent with elected Group IV, as Group IV mandates that there be two or more peptides which are bound to a "native or synthetic oligomeric or polymeric backbone". The examiner states that applicants have not specified such a backbone and that election of a specific "backbone" is required, such as avidin, streptavidin or polylysine.

In order to be responsive, applicant hereby elects streptavidin as the "native or synthetic oligomeric or polymeric backbone". With this additional election, along with the previous election of the specific peptide of SEQ ID NO:3, it is believed that applicant has now been fully responsive to the Official action of July 3, 2002.

Reconsideration and withdrawal of the restriction requirement for the reasons stated in applicant's amendment of September 3, 2002, and examination and allowance of all the claims now present in the case are hereby earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
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By

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Miri Blank

Application No.: 09/743,225

Filed: January 8, 2001

For: SYNTHETIC PEPTIDES AND PHARMACEUTICAL COMPOSITIONS COMPRISING THEM ...

Art Unit: 1653

Examiner: David Lukton

Washington, D.C.

Atty.'s Docket: BLANK=3

Date: December 10, 2002

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Transmitted herewith is a [] Amendment [XX] Response
in the above-identified application.

[XX] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[XX] No additional fee is required.

[] The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) MINUS	(Col. 3) HIGHEST NO. PREVIOUSLY PAID FOR	PRESNT EXTRA EQUALS
TOTAL	*	**	20	0
INDEP.	*	MINUS	*** 3	0

FIRST PRESENTATION OF MULTIPLE DEP. CLAIM

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SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
x 9	\$		x 18	\$
x 42	\$		x 84	\$
+ 140	\$		+ 280	\$
ADDITIONAL FEE TOTAL			TOTAL	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
- [] Second - \$ 200.00
- [] Third - \$ 460.00
- [] Fourth - \$ 720.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [] First - \$ 110.00
- [] Second - \$ 400.00
- [] Third - \$ 920.00
- [] Fourth - \$ 1440.00

Month After Time Period Set

[] Less fees (\$_____) already paid for ____ month(s) extension of time on _____.

[] Please charge my Deposit Account No. 02-4035 in the amount of \$_____.

[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$_____.

[] A check in the amount of \$_____ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

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